

REMARKS

Reconsideration of this application, as presently amended, is respectfully requested. Claims 48-94 are pending in this application. Claims 48-91 were withdrawn from consideration as being directed to a non-elected invention. Claims 92-94 stand rejected.

The rejections set forth in the Office Action are respectfully traversed below.

New Title:

The title of the invention was objected to for not being descriptive. The title of the invention has been replaced with the new title suggested by the Examiner.

Claims Rejections – 35 U.S.C. § 102

Claims 92-94 were rejected under 35 U.S.C. § 102(e) as being anticipated by **Doane et al.** (USP 6,518,944). For the reasons set forth in detail below, it is respectfully submitted that the **Doane et al.** reference is not an effective prior art reference against the present application, and therefore the rejection under § 102(e) should be withdrawn.

The effective date of the **Doane et al.** reference under § 102(e) is its filing date, October 25, 1999. However, the filing date of the present application is the filing date of the international application, April 20, 1999. Please see the Notification of Acceptance of Application Under 35 U.S.C. § 371 and 37 CFR § 1.494 or § 1.495 mailed July 31, 2001, wherein in Item 2 of the Notification of Acceptance it is indicated that "*The filing date of the above-identified application*

Application No. 09/857,208
Group Art Unit: 2841

Amendment under 37 C.F.R. § 1.111
Attorney Docket No.: 010763

is the international filing date of the international application (Article 11(3) and 35 U.S.C. § 363)."

Accordingly, the filing date of the present application antedates the effective date of **Doane et al.** as a prior art reference. It is respectfully submitted that because **Doane et al.** is not prior art with respect to the present application, the rejection under § 102 should be withdrawn.

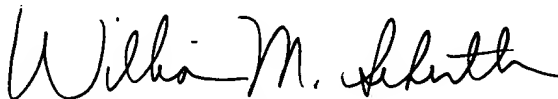
A prompt and favorable reconsideration of the rejection and an early indication of allowability of all pending claims are earnestly solicited.

If the Examiner believes there are issues remaining to be resolved in this application, the Examiner is invited to contact the undersigned attorney at the telephone number indicated below to arrange for an interview to expedite and complete prosecution of this case.

To the extent necessary, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension of time or any other fees that may be due with respect to the filing of this paper may be charged to the Westerman, Hattori, Daniels & Adrian, LLP Deposit Account No. 50-2866 (Atty. Docket No. 010763). Similarly, any excess fees may be credited to the above deposit account.

Respectfully submitted,

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